

REMARKS

Claims 13 and 14 were allowed. Claim 11 as revised is allowed claim 13, which is now cancelled. Although claim 12 was rejected, it is identical to allowed claim 14, which has been cancelled. As now presented, claims 11 and 12 are allowed claims 13 and 14.

New claims 15 and 16 are proposed. Claim 15 will be recognized as rejected original claim 11 but with limitations different from those of original claims 13 and 14. At line 11 of claim 15 the tapered shape of shoulder 47 is specified, and at lines 15-20, the benefits of this taper are recited. The limitations of claim 16 will be recognized as those of claim 14, defining a specific location for this shoulder.

Claim 15 closely tracks original claim 11 which was rejected on Lester 4,067,279, citing a C shape, a stop, side walls of different diameters, and a flexible material.

This invention is principally distinguished from Lester by its intended use. Applicant's device will not work for Lester's purposes, nor will Lester's device work for applicant's purposes. They relate to almost precisely opposite functions.

Applicant's device is a helper to open a jar. Lester's is a swaging device to apply a cap to a bottle neck so it cannot be removed except by destroying the cap. Lester's device cannot be used to remove the non-removable lid it created.

Lester puts a cap over the top of a neck, and then presses

the skirt of the cap down, and with shoulder 27 swages it into a groove. The cap can never be twisted off. It must be destroyed by pulling a tag which accompanies it, or cut somewhere.


Lester's shoulder 29 would prevent the kind of grip which applicant provides. It would prevent contact of the inner wall with the cap to be removed.

Examination of new claims 15 and 16 will show emphasis that applicant's shoulder 47 as tapered. Experience has shown that this taper is very important to persons with weak hands and wrists. It enables the device really to be pressed on. In contrast, Lester's deliberately abrupt shoulder would prevent the cap from entering the device at all where it should be gripped, when it contacts. If it did grip, then the swaging could not occur.

Lester does not suggest or show a device which would provide applicant's function, and does not show or suggest shapes useful for the intended purpose. It is submitted that the claims as now proposed are properly allowable.

Reconsideration of this application, and allowance of the claims, are respectfully solicited.

Respectfully submitted,



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